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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,349	03/24/2004	Tatsuyoshi Maruyama	023484-0162	5377
22428 7590 01/26/2007 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER WUJCIAK, ALFRED J	
			ART UNIT 3632	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/807,349

Applicant(s)

MARUYAMA ET AL.

Examiner

Alfred Joseph Wujciak III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/31/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10, 13, 14, 16 and 22-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-9, 13-15 and 17-22 is/are allowed.
- 6) ☒ Claim(s) 10, 16 and 23-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This is the non-final Office Action for the serial number 10/807,349, STRUCTURE FOR FIXING STEERING-GEAR HOUSING, filed on 3/24/04.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

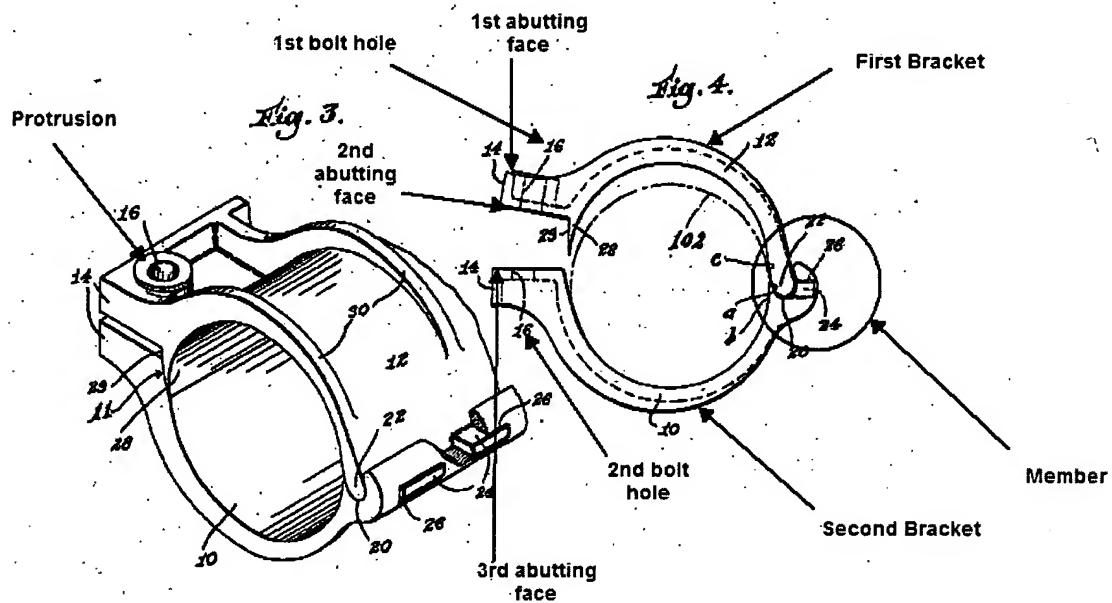
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 16 and 23-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 1,928,316 to Muto and in view of US Patent # 5,035,383 to Rainville.

Muto teaches a structure comprising a first bracket (top part of 14) including a first supporting face (concave part of 14), a first abutting face, a first bolt hole (16) arranged through the first abutting face and a second abutting face arranged axially opposite to the first abutting face through the first bolt hole. The structure includes a second bracket (bottom part of 14) comprising a second supporting face (concave part of bottom 14), third abutting face that is arranged at one circumferential end and that abuts the second abutting face and a second bolt hole (16 of the second bracket) that is smaller in an axial length than the first bolt hole. The structure includes a member/means for securing (20, 22, 24, 26) that secures another circumferential end of the first bracket and another circumferential end of the second bracket.

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The structure further includes a bolt/means to clamp (18) that is arranged from the second bolt hole through the first bolt hole and that is configured to be inserted through a third bolt hole to clamp first and second bracket together. The first bracket includes a protrusion that is arranged at an edge of the first abutting face. The structure includes a cylindrical resilient material (102) that is configured to be arranged between the first and second brackets.



Muto teaches all elements above but fails to teach the structure including the vehicle-body member. Rainville teaches the structure designed to mount on the vehicle body member (column 2, line 65). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have used the structure in the vehicle body member to reduce exposure of cable/conduit in the vehicle which can cause damage by people when entering in vehicle.

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In regards to claim 10, Muto teaches the cylindrical resilient material but fails to teach the cylindrical resilient material is formed with an incision. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified cylindrical resilient material with incision to improve tighten connection between the first and second brackets when being tightened by fastener.

Allowable Subject Matter

Claims 2-10, 13-15 and 17-22 are allowed.

In regards to claims 4, 14-15 and 17-18, the prior art fails to teach the combination with the first bracket comprises a protrusion that is arranged at an edge of the first abutting face and that is configured to be engaged in a recess formed in the vehicle-body member. In regard to claims 7-8 and 19-22, the prior art fails to teach wherein one of the first and second supporting faces is formed with concave engaged with the protrusion. In regard to claims 2-3, 5-6, 9 and 13, the prior art fails to teach the combination with a member, which secures another circumferential end of the first bracket and another circumferential end of the second bracket and which is not configured to be secured to the vehicle-body member.

Response to Arguments

Applicant's arguments with respect to claims 10, 16 and 23-33 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (571) 272-6827. The examiner can normally be reached on 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571) 272-6815. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alfred Joseph Wujciak III
Examiner
Art Unit 3632

1/19/07


A. JOSEPH WUJCIAK III
PRIMARY EXAMINER
TECHNOLOGY CENTER